

**ORIGINAL**



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AZ CORP COMMISSION  
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8 Attorney for Midvale Telephone Company, Inc.

9 **BEFORE THE ARIZONA CORPORATION COMMISSION**

Arizona Corporation Commission

**DOCKETED**

MAY 13 2013

10 **COMMISSIONERS**

11 BOB STUMP- Chairman  
12 GARY PIERCE  
13 BRENDA BURNS  
14 BOB BURNS  
15 SUSAN BITTER SMITH

DOCKETED BY

16 **IN THE MATTER OF MIDVALE  
17 TELEPHONE COMPANY, INC.'S (fna  
18 MIDVALE TELEPHONE EXCHANGE,  
19 Inc.) APPLICATION FOR AN  
20 AMENDMENT TO ITS CERTIFICATE OF  
21 CONVENIENCE AND NECESSITY**

DOCKET NUMBER: T-02532A-08-0542  
MTCI RESPONSE TO APRIL 9, 2013  
PROCEDURAL ORDER

22 Midvale Telephone Company, Inc. (hereinafter "MTCI"), through counsel, provides the  
23 following response to the Procedural Order issued in this matter by Administrative Law Judge  
24 Sarah N. Harpring on April 9, 2013.

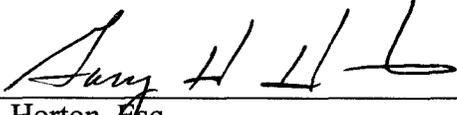
25 MTCI does not believe the docket should be administratively closed. While both  
CenturyLink and MTCI have undergone organizational changes since filing of the application,  
the factors outlined in the application and responses to the application supporting transfer have  
not changed. It remains in the public interest for the territory to be transferred. MTCI is simply

1 in a better position to provide service to the territory sought to be transferred than is  
2 CenturyLink.

3 Commission Staff and MTCI have agreed on language describing the area proposed for  
4 transfer. Staff has indicated that it will file the agreed upon language in the docket on May 9,  
5 2013. The filing of language acceptable to Staff is the only remaining barrier to Staff making its  
6 sufficiency finding.

7 Once the application is found sufficient, a Staff Report is filed, and notice is given to  
8 affected customers, MTCI requests that the matter proceed to open meeting without a hearing.  
9 To the best of MTCI's knowledge and belief, CenturyLink maintains its position in support of the  
10 transfer.

11 RESPECTFULLY SUBMITTED this 9<sup>th</sup> day of May, 2013.

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17 Gary H. Horton, Esq.  
18 Attorney for Midvale Telephone Company, Inc.

19 Original and 14 copies of the foregoing  
20 mailed this 9<sup>th</sup> day of May, 2013 to:

21 Docket Control  
22 Arizona Corporation Commission  
23 1200 West Washington St.  
24 Phoenix, Arizona 85007-2996

25 Copies of the foregoing mailed this  
9<sup>th</sup> day of May, 2013 to:

Lynn Farmer, Esq.  
Chief Administrative Law Judge

Hearing Division  
1 Arizona Corporation Commission  
1200 West Washington St.  
2 Phoenix, Arizona 85007-2996

3 Janice Alward, Esq.  
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6 Steven Olea  
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7 Arizona Corporation Commission  
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9 Norman G. Curtright  
Reed Peterson  
10 Qwest Corporation DBA CenturyLink-QC  
20 East Thomas Road, 16th Floor  
11 Phoenix, AZ 85012

12 By:  \_\_\_\_\_  
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